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RECEIVED and FILED by the  
NEW JERSEY STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF VETERINARY MEDICAL EXAMINERS

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IN THE MATTER OF THE LICENSE OF	:	<u>Administrative Action</u>
	:	
LEIGHANN MARIE FARRAR, D.V.M.	:	CONSENT ORDER
	:	
TO PRACTICE VETERINARY MEDICINE	:	
IN THE STATE OF NEW JERSEY	:	

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This matter was opened to the State Board of Veterinary Medical Examiners ("Board") following the Board's review of a consumer complaint filed by Jim and Kelly Arasim, on or about March 26, 2005, concerning the services rendered by the respondent LeighAnn Marie Farrar, D.V.M., to their dog "Bailey," a nine (9) year old Golden Retriever, on November 12, 2004. The Arasims alleged that Dr. Farrar engaged in negligence, failed to properly

diagnose Baily's condition and that she failed to respond to an emergency in her treatment of the dog.

Bailey presented to Dr. Farrar at the Whitehouse Veterinary Hospital ("Whitehouse") on November 11, 2004 after the groomer encountered a lump on the dog's shoulder that would not stop bleeding. The Arasims met Bailey at Whitehouse and informed Dr. Farrar that the only change they had noticed in the dog was that he had developed a cough in the last couple of days. Dr. Farrar examined Bailey and located a second lump adjacent to the first mass identified. After the completion of her physical examination, Dr. Farrar suggested Bailey have a chest x-ray and blood work performed. Additionally, she recommended surgical removal of the masses and a biopsy on the lumps. The blood tests were performed on Bailey and were unremarkable. No chest x-ray was taken and surgery for removal of the masses was scheduled for the following day.

On Friday, November 12, 2004, surgery was performed to remove the two lumps found by Dr. Farrar and a third found by the owners the previous night. Dr. Farrar, in her April 9, 2005 correspondence to the Board, advised that

. . . because of the cancerous appearance of all three lumps, aggressive excision was performed. By aggressive, I mean wide surgical excision to achieve clean borders.

She also asserted that all three masses "extended further into the subcutaneous space than the appearance of them on the skin would

have one believe." The incisions were sutured and drains were placed in the incision on the dog's shoulder/neck. She noted that Bailey's recovery from anesthesia was uneventful, however, according to her response, she was certain that the tumors were cancerous. Although Bailey was doing well post surgery, she recommended to the owners that Bailey stay at Whitehouse overnight for observation.

At approximately 5:15 p.m., while she was performing a final assessment on the dog for the day, Dr. Farrar noticed that the dog showed "signs of mild distress." She ran blood work and found that his hematocrit level was stable and therefore was not concerned about an abdominal or thoracic bleed from ruptured hemangiosarcoma because Bailey's hematocrit level remained stable. Dr. Farrar maintains that at this point, Bailey began to rapidly decline. After administering medication and running tests on the dog, she called the owners to inform them that she was no longer able to help the dog and that he needed to be taken to Oradell Animal Hospital for further diagnostics and treatment as she did not know the reason for his rapidly failing health. She then spoke with the staff at Oradell to inform them that Bailey would be arriving shortly and to give a history. Once at Oradell, Bailey suffered cardiac arrest and died.

The Board, following its review of the patient records and other relevant documents in this matter, has concluded that Dr.

Farrar's conduct, as detailed above, constitutes gross negligence, gross malpractice, or gross incompetence which damaged or endangered the life, health, welfare and safety of Bailey, in violation of N.J.S.A. 45:1-21(c), in that she: 1) failed to take pre-surgical chest and/or thoracic x-rays of the dog before performing the excision and later when the dog's condition was rapidly failing; and 2) failed to properly recognize and treat Bailey's emergency situation and instead sent the critically ill dog to another facility that was not in close proximity to Whitehouse. The Board noted that hematocrit levels routinely stay the same during an abdominal or thoracic bleed. The Board therefore found that the conduct detailed above establishes a basis for disciplinary action by the Board against Dr. Farrar.

Additionally, the Board, in its review of Dr. Farrar's medical records regarding Bailey, found that she violated or failed to comply with the patient record regulation, N.J.A.C. 13:44-4.9, in that the records do not contain information required by the regulation, including but not limited to, the name of the facility and identification of the treating licensee. This conduct constitutes a violation of N.J.S.A. 45:1-21(h), and specifically N.J.A.C. 13:44-4.9(a)(1), and therefore establishes a basis for disciplinary action.

It appearing that the respondent desires to resolve this matter without further proceedings; and the respondent

acknowledging and not contesting the findings of fact and conclusions of law made by the Board; and the Board having been satisfied that the within resolution adequately protects the public health, safety and welfare; and for good cause shown:

ACCORDINGLY, IT IS ON THIS                      DAY OF  
JUNE 2007, ORDERED that:

1. The respondent, LeighAnn Marie Farrar, D.V.M., is hereby formally reprimanded for her conduct as described above, contrary to N.J.S.A. 45:1-21(c) and (h) and N.J.A.C. 13:44-4.9(a).

2. Dr. Farrar shall cease and desist from further violations of N.J.S.A. 45:1-21(c) and (h) and specifically, the patient record rule N.J.A.C. 13:44-4.9.

3. Dr. Farrar shall take and successfully complete a minimum of twenty (20) hours of Board approved courses of continuing education, ten (10) of which are to be in the area of Critical Care and the remaining ten (10) credits in the area of Internal Medicine. All continuing education courses taken by the respondent to fulfill this requirement shall be RACE approved and have no affiliation with or be sponsored by the Whitehouse Animal Hospital. These continuing education credits **shall not** be used to satisfy any future statutory continuing education requirements.

4. Dr. Farrar is hereby assessed a civil penalty, pursuant to N.J.S.A. 45:1-22(b), in the aggregate amount of \$3,000.00 for: 1) engaging in gross negligence, gross malpractice,

or gross incompetence which damaged or endangered the life, health, welfare, or safety of Bailey, in violation of N.J.S.A. 45:1-21(c); and 2) violation of the patient records regulation, namely N.J.A.C. 13:44-4.9(a). Such penalty shall be paid by certified check or money order made payable to the State Board of Veterinary Medical Examiners and forwarded to Leslie G. Aronson, Executive Director, Board of Veterinary Medical Examiners, 124 Halsey Street, Sixth Floor, Post Office Box 45020, Newark, New Jersey 07101, contemporaneously with the entry of this Order.

In the alternative, the respondent may pay the civil penalty, totaling \$3,000.00 in equal installments payments of \$166.00 for a total seventeen (17) months. The eighteen (18th) and final payment will total \$178.00. The first payment shall be due on the fifteenth of each month beginning July 15, 2007 and every month thereafter until the total amount is paid in full.

Any failure to make any installment payment within ten (10) days of the due date shall cause the entire remaining balance to become immediately due and payable without further notice. Further, failure to pay the penalty within the time period allotted above will result in the filing of a Certificate of Debt, including the applicable interest permitted by the New Jersey Court Rules, and may result in subsequent disciplinary proceedings before the Board for failure to comply with an Order of the Board.

5. Failure on the part of the respondent to pay the civil penalty or the installment payments timely or to comply with any of the terms of this Consent Order would constitute a violation of the Order, proof of which would constitute grounds for disciplinary action by the Board.

NEW JERSEY STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS

By: Mark W. Logan VMD  
MARK W. LOGAN, V.M.D.  
President

I have read and understand the within  
Consent Order and agree to be bound  
by its terms. Consent is hereby given  
to the Board to enter this Order.

Leighann Marie Farrar  
LEIGHANN MARIE FARRAR, D.V.M.

DATED: July 6, 2007

Consent as to form and entry.

William A. Garrigle  
WILLIAM A. GARRIGLE, ESQUIRE  
Garrigle and Palm

DATED: 7-9-07